

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BRG HARRISON LOFTS URBAN RENEWAL LLC,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY,
ENVIRONMENTAL WASTE MANAGEMENT
ASSOCIATES, LLC and ACCREDITED
ENVIRONMENTAL TECHNOLOGIES, INC.,

Defendants.

ACCREDITED ENVIRONMENTAL TECHNOLOGIES,
INC.,

Third-Party Plaintiff,

v.

FIELD ENVIRONMENTAL INSTRUMENTS, INC. and
ARIZONA INSTRUMENT LLC,

Third-Party Defendants,

consolidated with

EVANSTON INSURANCE COMPANY,

Plaintiff,

v.

ENVIRONMENTAL WASTE MANAGEMENT
ASSOCIATES, LLC, ACCREDITED ENVIRONMENTAL
TECHNOLOGIES, INC., and BRG HARRISON LOFTS
URBAN RENEWAL LLC,

Defendants.

Civil Action No: 2:16-CV-06577
(SRC/CLW)

**FOURTH AMENDED PRETRIAL
SCHEDULING ORDER**

Civil Action No: 2:17-CV-01584
(SRC/CLW)

ACCREDITED ENVIRONMENTAL TECHNOLOGIES,
INC.,

Third-Party Plaintiff,

v.

J.S. BRADDOCK AGENCY,

Third-Party Defendant.

J.S. BRADDOCK AGENCY,

Fourth-Party Plaintiff,

v.

EDGEHILL SPECIAL RISK, INC.

Fourth-Party Defendant.

THIS MATTER having come before the Court by letter application; and all parties having discussed and agreed to the following modifications to the Court's Third Amended Scheduling Order (D.I. 131); and the Court having considered the progress and status of this matter; and for good cause shown,

IT IS on this 1st day of February 2022,

ORDERED that this matter will proceed as follows:

1. **Fact Discovery Deadline:** Each party will advise the Court by March 31, 2022 whether they intend to participate in mediation. If mediation is not agreed upon by BRG, EWMA and AET in the BRG action ([2:16-CV-06577](#)), fact discovery is to remain open through July 31, 2022. All fact witness depositions must be completed by the close of fact discovery, and the deposition of BRG's 30(b)(6) witness on the subject of damages must be completed by March 31, 2022, and the 30(b)(6) depositions of EWMA and AET must be completed by March 31, 2022 unless the parties agree to mediation. No discovery is to be issued or engaged in beyond the close of fact discovery, except upon application and for good cause shown.

2. **Motions to Add New Parties.** n/a
3. **Motions to Amend Pleadings.** n/a
4. **Rule 26 Disclosures.** All parties in these actions have previously served initial disclosures.
5. **Interrogatories.** All parties in these actions have served interrogatories.
6. **Document Requests.** All parties in these actions have served and responded to document requests. Any supplemental documents to prior productions shall be provided to all parties on or before February 28, 2022.
7. **Depositions.** The number of fact depositions to be taken by each party shall not exceed **fifteen (15)**.
8. **Electronic Discovery.** The parties are directed to Rule 26(f), as amended, which, *inter alia*, addresses preservation of discoverable information, discovery of electronically stored information, and claims of privilege or work product protection. The parties are also directed to Local Civil Rule 26.1(d) which describes the obligations of counsel with regard to their clients' information management systems. All parties to this action, regardless of when they were joined, are bound by the Court's January 29, 2018 ESI Order (D.I. 99).
9. **Discovery Disputes.** Please refer to the Court's Civil Case Management Order.
10. **Motion Practice.** Please refer to the Court's Civil Case Management Order.
11. **Expert Reports.** All affirmative expert reports shall be delivered within 60 days after the close of fact discovery. All responsive expert reports shall be delivered within 45 days after the receipt of affirmative expert reports. Depositions of all experts to be completed within 45 days after the service of responsive expert reports.
12. **Dispositive Motions. TBD**
13. **Form and Content of Expert Reports.** All expert reports must comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.
14. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.
15. **Protective Orders.** The parties are referred to the Discovery Confidentiality Order, dated February 5, 2018 (D.I. 100), which governs all parties to this action even if joined subsequent to the entry of the Order.

16. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not addressed by this Order or the Court's Civil Case Management Order.
17. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

s/ Cathy L. Waldor

CATHY L. WALDOR

United States Magistrate Judge